

BOLTON PLANNING BOARD

RULES AND REGULATIONS FOR THE APPLICATION OF SPECIAL PERMITS UNDER BYLAW 2.3.5.5 BACKLAND ZONING

Application shall contain the following items 1 through 4:

1. Two copies of an application for a Special Permit provided by the Planning Board.
2. List of abutters, owners of land directly opposite on any public or private street or way, and abutters to the abutters within 300' of the property line of the applicant as they appear on the most recent applicable tax list, notwithstanding that the land of any such owners is located in another city or town, and any other persons who would be affected if this permit were granted. The assessors shall certify to the names and addresses of same.
3.
 - a) Plans shall be prepared and certified by a registered land surveyor in conformance with the Worcester County Registry of Deeds.
 - b) Plans shall carry legend that states "Special Permit issued by Bolton Planning Board dated: mm/dd/yyyy".
 - c) The plan shall show, in some form, the frontage of lots with adjacent frontage.
 - d) The plan shall also delineate the Flood Plain District and Water Resource Protection District if applicable with a statement that 1 ½ acres of contiguous land is not in these districts. IF NOT APPLICABLE, THE PLAN SHOULD BEAR A LEGEND THAT THIS LOT DOES NOT LIE WITHIN SAID DISTRICTS.
 - e) The linen, 1 sepia and 4 copies of the plan must be filed with the application.
4. Filing fee: See the attached filing fee schedule.
5. Owner or agent must attend the Public Hearing and present the plan.
The above procedure must be followed or the application may be rejected.
6.
 - a) The Planning Board shall hold a Public Hearing within 65 days after filing of an application, a copy of which shall forthwith be given to the Town Clerk by the applicant. The Planning Board shall act within 90 days following a Public Hearing.
 - b) Following the decision of the Planning Board there will be a twenty (20) day appeal period.
 - c) Special Permits issued by the Planning Board shall require four members of a five member board.

7. Special Permits shall lapse twenty-four (24) months following grant thereof (excepting such time required to pursue or await the determination of an appeal referred to in Section 17, Chapter 40A of the General Laws) if it is not filed with the Registry of Deeds.
8. If lot lines are changed subsequent to issue of the Special Permit a new Special Permit must be applied for.

2.3.5.5 Backland Zoning

In Residential Districts backland or reduced frontage lots may be created by Special Permit issued by the Planning Board. Each such lot must meet the following criteria:

- a) A minimum of street frontage on an accepted and/or approved town way of 50 feet.
- b) The minimum allowable lot width between the dwelling site and the access to the public way is 25'. All plans for such lots shall show and indicate what the minimum lot width is in said plan though it may be in excess of 25'.
- c) The minimum lot size shall be 4 ½ acres.
- d) Not more than one other reduced frontage lot with frontage contiguous to it will be allowed. A lot or lots with reduced frontage as allowed under this Backland Zoning Bylaw shall be separated from any other reduced frontage lot or lots by not less than two hundred feet (200') of frontage on an accepted and/or approved town way.
- e) No structure shall be erected within 50 feet of any lot line.
- f) Once a reduced frontage lot is created and approved by the planning board, it can not be subsequently divided to less than 4 ½ acres.
- g) At least 1 ½ acres of contiguous land which is not in a:
 - 1) Flood Plain District (Section 2.5.3)
 - 2) Water Resource Protection District (Section 2.5.4)
- h) Granting of a Special Permit under this Bylaw does not constitute a waiver of any other applicable Bylaw or statute.

Amended: January 12, 2005